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 5 File No. 10-90156

E-filed on January 18, 2011

6 Attorneys for Secured Creditor,
 7 BAC HOME LOANS SERVICING, LP FKA
 8 COUNTRYWIDE HOME LOANS SEVICING, LP

9
 10 UNITED STATES BANKRUPTCY COURT
 11 DISTRICT OF NEVADA

12	In re:	Case No.: BK-S-10-10004-BAM
13	GERALDINE KIRK-HUGHES, Debtor(s)	Chapter 11
14	BAC HOME LOANS SERVICING, LP FKA COUNTRYWIDE HOME LOANS SEVICING, LP,	OBJECTIONS TO PROPOSED AMENDED CHAPTER 11 PLAN AND SECOND AMENDED DISCLOSURE STATEMENT AND CONFIRMATION THEREOF
15	Secured Creditor,	
16	vs	Date: January 18, 2011 Time: 09:00 A.M.
17	GERALDINE KIRK-HUGHES, Debtor(s), U.S. TRUSTEE-LV-11, Trustee, Respondent(s)	

18 BAC HOME LOANS SERVICING, LP FKA COUNTRYWIDE HOME LOANS
 19 SEVICING, LP, Secured Creditor in the above-entitled Bankruptcy proceeding, hereby submits
 20 the following Objections to the Confirmation of that certain Amended Chapter 11 Plan and
 21 Second Amended Disclosure Statement proposed by Debtor:

22 This objecting Secured Creditor holds the first Trust Deed on the subject property
 23 generally described as: **7400 Oak Grove Avenue, Las Vegas, NV 89117**. As of January 3,
 24 2010, the amount in default was \$33,623.92, representing monthly payments and late charges

1 due from March 1, 2009 through January 1, 2010; advances for taxes and insurance, if any; and
2 foreclosure costs and attorneys' fees incurred with respect to the default.

3 Debtor's Amended Chapter 11 Plan and Second Amended Disclosure Statement states
4 that she will pay ten (10) months of arrears and any of the escrow deficiencies through the
5 Reorganization Plan. Per the Amended POC filed on December 22, 2010, Amended Claim
6 number 7, Debtor is pre-petition delinquent for eleven (11) monthly payments at \$3,056.72 each,
7 which includes principal, interest, taxes and insurance. Debtor states she has also made the post-
8 petition payments through December, 2010 directly to the Secured Creditor. Attached hereto as
9 Exhibit "A" is the payment history showing that Debtor has failed to make post-petition
10 payments to Secured Creditor. Secured Creditor requests the Debtor to provide the front and
11 back copies of the checks within 30 days of this objection.

12 Secured Creditor further requests the Court award Secured Creditor \$400.00 in attorney's
13 fees for the necessity of this Objection and that said fees be paid by the Debtor either through the
14 Plan or directly to Secured Creditor prior to completion of the Plan.

15 **CONCLUSION**

16 Any Chapter 11 Plan and Disclosure Statement proposed by Debtor must provide for and
17 eliminate the Objections specified above in order to be reasonable and to comply with applicable
18 provisions of the Bankruptcy Code. It is respectfully requested that confirmation of the
19 Amended Chapter 11 Plan and Second Amended Disclosure Statement as proposed by Debtor be
20 denied.

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1 WHEREFORE, Secured Creditor prays as follows:

- 2 (1) That confirmation of the proposed Amended Chapter 11 Plan and Second Amended
3 Disclosure Statement be denied.
4 (2) For attorney's fees and costs incurred herein.
5 (3) For such other relief as this Court deems proper.

6 MILES, BAUER, BERGSTROM & WINTERS, LLP

7 Dated: January 18, 2011 By: /s/ Gina M. Corena, Esq.
8 Gina M. Corena, Esq.
Attorney for Secured Creditor

9 (10-90156/objaznv.dot/slw)

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1 **CERTIFICATE OF MAILING**

2 The undersigned hereby certifies that on January 18, 2011, a copy of
3 Secured Creditor's **OBJECTIONS TO PROPOSED AMENDED CHAPTER 11 PLAN AND**
4 **SECOND AMENDED DISCLOSURE STATEMENT AND CONFIRMATION THEREOF**
5 was served by depositing a copy of same in the United States Mail, in a postage prepaid
6 envelope, addressed to:

7 **DEBTOR:**

8 Geraldine Kirk-Hughes
9 7400 Oak Grove Avenue
10 Las Vegas, NV 89117

11 **ATTORNEY FOR DEBTOR:**

12 Geraldine Kirk-Hughes
13 Kirk-Hughes & Associates
14 2551 S. Fort Apache Rd. Ste 103
15 Las Vegas, NV 89117

16 **CHAPTER 11 TRUSTEE:**

17 U.S. Trustee-LV-11
18 300 Las Vegas Boulevard, S.
19 Suite 4300
20 Las Vegas, NV 89101

21 I declare under penalty of perjury under the laws of the State of Nevada that the
22 foregoing is true and correct.

23 _____
24 /S/ Stacey L. Werner
25 An Employee of Miles, Bauer, Bergstrom & Winters, LLP
26 (10-90156/objaznv.dot/slw)

EXHIBIT A

Bank of America


Home Loans
P.O. Box 5170
Simi Valley, CA 93062-5170

Notice Date: 01/13/2011

Account No.: [REDACTED]

GERALDINE KIRK-HUGHES
7400 Oak Grove Ave
Las Vegas, NV 89117

Property Address:
7400 OAK GROVE AVENUE
LAS VEGAS, NV 89117

ABOUT YOUR LOAN

Attached is a loan history that provides a detailed outline of transactions for the above-referenced account number.

Please note that this history provides pertinent information on payments received, tax and insurance payments disbursed, and late charges assessed and paid.

THANK YOU FOR YOUR BUSINESS

You are a valued customer here at BAC Home Loans Servicing, LP and it is our continued goal to provide our customers with the highest level of customer satisfaction.

If you need further assistance, please contact our Customer Service Department directly at 1-800-669-6607.

Account Number:
 Statement Period:
 Date Prepared:

[REDACTED]
 01/2009 - 01/2011
 01/13/2011

Property Address:
 7400 OAK GROVE
 AVENUE

Transaction Date	Description	Total Payment	PMT/Mo	Principal Balance	Interest	Escrow Balance	Optional	Buydown	Late Charges Total	Unapplied Total
Beginning Balance				204,171.17		-11,376.70				.00
01/06/2009	REGULAR PAYMENT	4,505.39	12/2008	1,386.39 202,784.78	914.52	2,089.43 -9,287.27	.00	.00	115.05 .00	.00 .00
02/13/2009	REGULAR PAYMENT	4,390.34	01/2009	1,392.60 201,392.18	908.31	2,089.43 -7,197.84	.00	.00	.00 -115.05	.00 .00
02/13/2009	REGULAR PAYMENT	4,505.39	02/2009	1,398.84 199,993.34	902.07	2,089.43 -5,108.41	.00	.00	115.05 .00	.00 .00
02/25/2009	COUNTY TAX PMT	-2,395.52	02/2009	.00 199,993.34	.00	-2,395.52 -7,503.83	.00	.00	.00 .00	.00 .00
08/11/2009	COUNTY TAX PMT	-2,470.41	02/2009	.00 199,993.34	.00	-2,470.41 -9,974.34	.00	.00	.00 .00	.00 .00
09/30/2009	COUNTY TAX PMT	-2,470.42	02/2009	.00 199,993.34	.00	-2,470.42 -12,444.76	.00	.00	.00 .00	.00 .00
12/24/2009	COUNTY TAX PMT	-2,470.42	02/2009	.00 199,993.34	.00	-2,470.42 -14,915.18	.00	.00	.00 .00	.00 .00
02/23/2010	COUNTY TAX PMT	-2,470.42	02/2009	.00 199,993.34	.00	-2,470.42 -17,385.60	.00	.00	.00 .00	.00 .00
08/12/2010	COUNTY TAX PMT	-1,769.35	02/2009	.00 199,993.34	.00	-1,769.35 -19,154.95	.00	.00	.00 .00	.00 .00
09/28/2010	COUNTY TAX PMT	-1,769.36	02/2009	.00 199,993.34	.00	-1,769.36 -20,924.31	.00	.00	.00 .00	.00 .00